

Senator Karen Hale proposes the following substitute bill:

CAPITOL ARTS PLACEMENT COMMISSION

2003 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen Hale

This act modifies provisions of the State Commissions and Councils Code related to the State Capitol Preservation Board. The act changes the name of the State Capitol Art Placement Commission to the Art Placement Subcommittee of the State Capitol Preservation Board, and modifies the duties of that subcommittee. The act defines certain terms. The act makes technical revisions.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63C-9-402, as enacted by Chapter 285, Laws of Utah 1998

63C-9-701, as renumbered and amended by Chapter 285, Laws of Utah 1998

63C-9-702, as last amended by Chapter 9, Laws of Utah 2000

63C-9-703, as renumbered and amended by Chapter 285, Laws of Utah 1998

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **63C-9-402** is amended to read:

63C-9-402. Executive director -- Duties.

The executive director shall:

- (1) develop for board approval a master plan with a projection of at least 20 years concerning the maintenance, preservation, restoration, and modification of the capitol hill facilities and capitol hill grounds, including, if directed by the board, a plan to restore the buildings to their original architecture;
- (2) develop for board approval a furnishings plan for the placement and care of objects under the care of the board;



(3) prepare, and recommend for board approval, an annual budget and work plan consistent with the master plan and the furnishings plan for all work under this chapter, including usual maintenance for capitol hill facilities, the contents of capitol hill facilities, and capitol hill grounds;

(4) develop a program to purchase or accept by donation, permanent loan, or outside funding items necessary to implement the master plan;

(5) develop and maintain a registration system and inventory of the contents of the capitol hill facilities and capitol hill grounds and of the original documents relating to the buildings' construction and alteration;

(6) develop a program to purchase or accept by donation, permanent loan, or outside funding items of historical significance that were at one time in the capitol hill facilities and that are not owned by the state;

(7) develop a program to locate and acquire state-owned items of historical significance that were at one time in the buildings;

(8) develop a collections policy regarding the items of historic significance as identified in the registration system and inventory for the approval of the board;

(9) assist in matters dealing with the preservation of historic materials;

(10) make recommendations on conservation needs and make arrangements to contract for conservation services for objects of significance;

(11) make recommendations for the transfer or loan of objects of significance as detailed in the approved collections policy;

(12) make recommendations to transfer, sell, or otherwise dispose of unused surplus property that is not of significance as defined in the collections policy and by the registration system;

(13) approve all art and exhibits placed [in the buildings] on Capitol Hill after board approval;

(14) employ staff to assist him in administering this chapter and direct and coordinate their activities;

(15) contract for professional services of qualified consultants, including architectural historians, landscape architects with experience in landscape architectural preservation, conservators, historians, historic architects, engineers, artists, exhibit designers, and craftsmen;

and

(16) prepare annually a complete and detailed written report for the board that accounts for all funds received and disbursed by the board during the preceding fiscal year.

Section 2. Section **63C-9-701** is amended to read:

Part 7. Art Placement Subcommittee to the State Capitol Preservation Board

63C-9-701. Definitions.

As used in this part:

(1) "Agency" means each agency, authority, board, bureau, commission, committee, corporation, council, department, division, fund, institution, laboratory, library, office, officer, panel, unit, or other administrative unit of the state.

(2) "Art" includes paintings, murals, photographs, pottery, sculpture, textiles, monuments, memorials, and other visual and decorative arts.

~~[(3) "Commission" means the State Capitol Art Placement Commission established by this part.]~~

~~[(4)]~~ (3) "Exhibit" means a static visual explanatory or educational presentation.

~~[(5)]~~ (4) "Public area" means ~~[areas]~~ any area either inside or outside any building on capitol hill under the jurisdiction of the board under Subsection 63C-9-301(1)(a) that is:

(a) open to the public; and

(b) not part of the offices of any government agency.

(5) "Subcommittee" means the Art Placement Subcommittee of the State Capitol Preservation Board created in this part.

Section 3. Section **63C-9-702** is amended to read:

63C-9-702. Art Placement Subcommittee to the State Capitol Preservation Board -- Created -- Membership -- Operations.

(1) (a) There is created ~~[a State Capitol]~~ an Art Placement ~~[Commission]~~ Subcommittee to the State Capitol Preservation Board composed of 11 members appointed as provided in this Subsection (1).

(b) (i) The governor shall appoint:

(A) an architect, from a list of three architects submitted by the American Institute of Architects;

(B) an artist, from a list of three artists submitted by the Utah Arts Council Board of

88 Directors;

89 (C) an historian, from a list of three historians submitted by the Board of State History;
90 and

91 (D) a citizen to represent the public at large who is not a member of the State Capitol
92 Preservation Board.

93 (ii) The governor, as chair of the [~~State Capitol Preservation Board created in Section~~
94 ~~63C-9-201~~] board, with the concurrence of the [~~State Capitol Preservation Board~~] board, shall
95 appoint a member of the [~~State Capitol Preservation Board~~] board as [~~an ex officio, nonvoting~~]
96 a voting member of the [State Capitol Art Placement Commission] subcommittee.

97 (c) The president of the Senate shall appoint three members, two from the majority
98 party and one from the minority party.

99 (d) The speaker of the House of Representatives shall appoint three members, two
100 from the majority party and one from the minority party.

101 (2) (a) (i) (A) [~~Voting commission~~] Subcommittee members appointed by the governor
102 shall serve four-year terms and may serve up to two consecutive terms.

103 (B) [~~Ex officio commission members~~] The board member appointed by the governor
104 [~~as chair of the State Capitol Preservation Board~~] under Subsection (1)(b)(ii) shall serve a
105 two-year [~~terms~~] term, and may be reappointed.

106 (ii) [~~Commission~~] Subcommittee members appointed by [~~the speaker and~~] the
107 president of the Senate and the speaker of the House of Representatives shall serve two-year
108 terms and may be reappointed.

109 (b) In appointing members to the first [~~commission~~] subcommittee, the governor shall
110 designate [~~one member~~] two members to serve a two-year term and two members to serve
111 four-year terms.

112 (3) (a) Each [~~commission~~] subcommittee member shall hold office until his successor
113 has been appointed and qualified.

114 (b) If a vacancy occurs in the [~~commission~~] subcommittee because of death,
115 resignation, or otherwise, the appointing authority shall appoint a successor, who shall hold
116 office for the unexpired term.

117 (c) Six voting members of the [~~commission~~] subcommittee are a quorum for the
118 purpose of organizing and conducting the business of the [~~commission~~] subcommittee.

(d) The vote of a majority of members voting when a quorum is present is necessary for the ~~[commission]~~ subcommittee to take action.

(4) (a) At the initial meeting of the ~~[commission]~~ subcommittee, the ~~[commission]~~ subcommittee shall select one of its number to serve as chair of the ~~[commission]~~ subcommittee.

(b) The executive director of the ~~[State Capitol Preservation Board is the nonvoting secretary to the commission]~~ board shall assist the subcommittee in their duties and shall provide staff services to the ~~[commission]~~ subcommittee.

(5) (a) Members of the ~~[commission]~~ subcommittee shall receive per diem and may be reimbursed for expenses incurred in the performance of their official duties as established by the Division of Finance.

(b) The ~~[commission]~~ subcommittee shall meet at least ~~[once per year and at the call of the chair]~~ quarterly.

Section 4. Section **63C-9-703** is amended to read:

63C-9-703. Art Placement Subcommittee of the State Capitol Preservation Board -- Duties.

(1) The ~~[commission]~~ subcommittee shall:

(a) review and make recommendations to the board about the content and placement of each new piece of art to be placed within any public area ~~[of the State Capitol Building to the State Capitol Preservation Board]~~ on capitol hill;

(b) review and make recommendations to the board about any proposals for removing or relocating any piece of art contained in any public area ~~[of the State Capitol Building to the State Capitol Preservation Board]~~ on capitol hill; and

(c) review and make recommendations to the board about the content and placement of each new exhibit to be placed within any public area ~~[of the State Capitol Building to the State Capitol Preservation Board]~~ on capitol hill.

~~[(2) The commission has exclusive authority to make official recommendations to the State Capitol Preservation Board about content, placement, removal, and relocation of art and exhibits on capitol hill.]~~

~~[(3)]~~ (2) If any conflicts exist between this part and Section 36-5-1, Section 36-5-1 takes precedence.